

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

CHRIS NIX,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:05cv1044-D
	)	[WO]
ANTHONY CLARK,	)	
	)	
Defendant.	)	

**OPINION AND ORDER**

On January 18, 2006, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon CONSIDERATION of the Recommendation of the Magistrate Judge, it is

ORDERED that said Recommendation is hereby ADOPTED, APPROVED and AFFIRMED and that the above-styled cause be and the same is hereby DISMISSED without prejudice for Plaintiff's failure to properly prosecute this action and comply with the orders of this court.

An appropriate judgment will be entered contemporaneously herewith.

DONE this 7<sup>th</sup> day of February, 2006.

/s/ Ira DeMent  
SENIOR UNITED STATES DISTRICT JUDGE